

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN MILLER

Plaintiff,

v.

READING POLICE DEPARTMENT, *et al.*,

Defendant.

CIVIL ACTION  
NO. 18-5178

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of June, 2019, after reviewing Defendant's Motion for Judgment on the Pleadings (Docket No. 12), Plaintiff's Response in Opposition (Docket No. 26), all supporting and opposing papers, and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** as follows:

1. Defendant's Motion for Judgment on the Pleadings (Docket No. 12) is **GRANTED** without prejudice.
2. Plaintiff may amend his complaint within 30 days from the date of this Order in accordance with this Court's Opinion.
3. The claims against Defendant Reading Police Department shall be **DISMISSED** without prejudice.<sup>1</sup>

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.

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<sup>1</sup> During the May 3, 2019, Oral Argument, Mr. Miller stated on the record that the claims against Reading Police Department should be dismissed without prejudice. Accordingly, claims against Reading Police Department are dismissed without prejudice.